

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re REFCO, INC. SECURITIES LITIGATION : 05 Civ. 8626 (JSR)  
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**LEAD PLAINTIFFS' NOTICE OF MOTION FOR (I) PRELIMINARY APPROVAL  
OF SETTLEMENT WITH GRANT THORNTON LLP, (II) PRELIMINARY  
APPROVAL OF SETTLEMENT WITH JOSEPH J. MURPHY, DENNIS A. KLEJNA  
AND WILLIAM M. SEXTON, (III) PRELIMINARY CERTIFICATION OF  
CLASS AS AGAINST THESE SETTling DEFENDANTS FOR PURPOSES  
OF SETTLEMENT, AND (IV) APPROVAL OF NOTICE TO THE CLASS**

TO: All Counsel of Record

PLEASE TAKE NOTICE that upon the accompanying Declaration of Megan D. McIntyre and the Stipulation and Agreement of Settlement between Lead Plaintiffs and Grant Thornton LLP dated October 18, 2010 and the Stipulation and Agreement of Settlement between Lead Plaintiffs and Defendants Joseph J. Murphy, Dennis A. Klejna and William M. Sexton dated September 30, 2010 attached thereto; the accompanying Memorandum of Law; and all other papers and proceedings herein, Lead Plaintiffs will move this Court, under Rule 23 of the Federal Rules of Civil Procedure, at a date, time and location to be set by the Court or by Special Master Capra, for an order (i) preliminarily approving the settlement of this securities class action as against defendant Grant Thornton LLP; (ii) preliminarily approving the settlement of this securities class action as against defendants Joseph J. Murphy, Dennis A. Klejna and William M. Sexton; (iii) preliminarily certifying a class as against these settling defendants for purposes of these settlements; and (iv) approving the form and manner of notice to putative class members.

Attached as Exhibit A hereto is a copy of Lead Plaintiffs' [Proposed] Order Preliminarily Approving Proposed Settlement With Grant Thornton LLP And Proposed Settlement With Defendants Joseph J. Murphy, Dennis A. Klejna and William M. Sexton.

DATED: October 18, 2010

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